



PATENT
ATTORNEY DOCKET NO.: 056291-5062-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
)
BREAUULT et al.)
)
Application No.: 10/771,118) Group Art Unit: 1614
)
Filed: February 4, 2004) Prior Examiner: D. Rao
)
FOR: PYRIMIDINE DERIVATIVES)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop ____
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: September 7, 2004

Sir:

INFORMATION DISCLOSURE STATEMENT

Citation of Related U.S. Patent Applications

The Examiner's attention is directed to the following related co-pending U.S. patent applications:

Examiner's Initials	Inventor	U.S. Serial No.	U.S. Filing Date	PCT Publication No.	PCT Publication Date
	Breault et al.	09/763,705	02/26/2001	WO 00/12485	Mar 9, 2000
	Breault et al.	10/771,118	02/04/2004	WO 00/12485	Mar 9, 2000
	Breault et al.	09/763,681 USP 6,632,820 issued 10/14/03	02/26/2001	WO 00/12486	March 9, 2000
	Bradbury et al.	09/868,602 USP 6,593,326 issued 7/15/03	06/20/2001	WO 00/39101	July 6, 2000
	Breault et al.	09/914,788 USP 6,716,831 issued 04/06/04	09/05/2001	WO 00/53595	Sept. 14, 2000

Examiner's Initials	Inventor	U.S. Serial No.	U.S. Filing Date	PCT Publication No.	PCT Publication Date
	Breault	09/958,077 USP 6,670,368 issued 12/30/03	10/04/2001	WO 00/59892	Oct. 12, 2000
	Pease et al.	10/203,154 USP 6,649,608 issued 11/18/03	08/06/2002	WO 01/64655	Sept. 7, 2001
	Pease et al.	10/220,139	08/28/02	WO 01/64654	Sept. 7, 2001
	Pease et al.	10/203,025 allowed 8/24/04	08/05/02	WO 01/64656	Sept. 7, 2001
	Pease et al.	10/203,549 USP 6,710,052 issued 03/23/04	08/08/02	WO 01/64653	Sept. 7, 2001
	Pease et al.	Cont. of 10/203,549	01/09/04	WO 01/64653	Sept. 7, 2001
	Thomas et al.	10/069,019	2/21/02	WO 01/14375 A1	Mar. 1, 2001
	Thomas	10/239,790	09/25/02	WO 01/72717	Oct. 4, 2001
	Thomas et al.	10/332,275	01/07/03	WO 01/04429	Jan. 17, 2002
	Breault et al.	10/363,655	03/04/03	WO 02/20512	Mar. 14, 2002
	Thomas	10/467,886	08/13/03	WO 02/066481 A1	Aug. 29 2002
	Newcombe	10/479,041	11/26/03	WO 02/096887 A1	Dec. 5, 2002

PLEASE DO NOT PRINT the above information on the patent resulting from the subject application.

In keeping with MPEP 609, Subsec. C(2), 2nd para., line 10 to end of the paragraph (especially note lines 18-25) PLEASE RETURN A COPY OF THIS LETTER with the Examiner's initials adjacent each above listing so that applicant will know that each listed application has been considered as required by PTO policy.

Citation of Documents

Attached is a Form PTO-1449 listing all documents cited in parent Application No. 09/763,705 filed February 26, 2001, copies of which were previously submitted therein or cited by the Examiner. Accordingly, no copies of the previously cited documents are provided herewith. Additionally, for the Examiner's convenience, each of the six U.S. patents issued on one of the technically related applications listed above is also listed on the

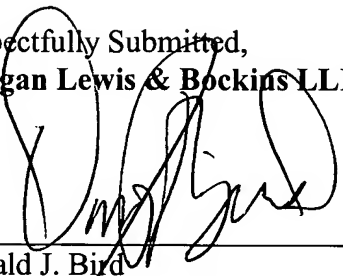
form PTO-1449, and a copy of each of these six additional U.S. patent references is being submitted herewith. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

The present Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits, and therefore no certification under 37 CFR §1.97(e) or fee under 37 CFR §1.17(p) is required.

This Information Disclosure Statement is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, prompt notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to fully comply. Consideration of the foregoing and enclosures plus the return of a copy of the herewith filed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 is earnestly solicited.

Except for issue fees payable under 37 C.F.R. §1.18, the Director is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

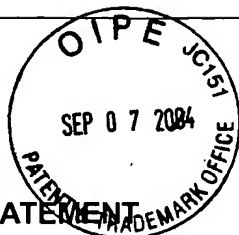
Respectfully Submitted,
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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

Atty. Dkt.
No.

M#

Client Ref.

056291-5062-01

Applicant: Breault et al.

Appln. No.: 10/771,118

Filing Date: February 4, 2004

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Examiner: Deepak R. Rao Prior Group Art Unit: 1614

U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR	4,983,608	01/1991	Effland et al.	514	216
	BR	5,516,775	04/1996	Zimmermann et al.	514	224.2
	CR	5,610,303	03/1997	Kimura et al.	544	326
	DR	5,739,143	04/1998	Adams et al.	514	275
	ER	5,859,041	01/1999	Liverton et al.	514	396

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclose	No
	FR	2,231,765	09/1998	Canada	Geisen				
	GR	0 363 002	04/1990	EPA	Wheeler et al.				
	HR	0 379 806 B1	08/1990	EPA	Tomino et al.				
	IR	0 945 443 A1	09/1999	EPA	Andries et al.				
	JR	91/18887	12/1991	WIPO	Ife et al.				
	KR	92/20642	11/1992	WIPO	Spada et al.				
	LR	95/09847	04/1995	WIPO	Zimmermann				
	MR	95/09851	04/1995	WIPO	Zimmermann				
	NR	95/09852	04/1995	WIPO	Zimmermann				
	OR	95/09853	04/1995	WIPO	Zimmermann				
	PR	95/15952	06/1995	WIPO	Thomas et al.				
	QR	96/05177	02/1996	WIPO	Lee et al.				
	RR	96/28427	09/1996	WIPO	Buckman et al.				
	SR	96/40143	12/1996	WIPO	Adams et al.				
	TR	97/19065	05/1997	WIPO	Davis et al.				

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

UR	El-Kerdawy et al.; "2,4-Bis (Substituted)-5-Nitropyrimidines of Expected Diuretic Action"; Egypt J. Chem. Vol. 29, No. 2, 1986, pp. 247-251				
VR	Fiziol Akt Veshchestva, 1975, Vol. 7, pp. 68-72		X		X
WR	Ghosh et al.; "2,4-Bis(arylamino)-5-methylpyrimidines as Antimicrobial Agents"; J. Med. Chem., 1967, Vol. 10, No. 5, pp. 974-975;				

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 (modified)
To: U.S. Department of Commerce
(PM&S FORM PAT-1449)
Patent and Trademark Office

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Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR 6,593,326 B1	07/2003	Bradbury et al.	514	235.8	
	BR 6,632,820 B1	10/2003	Breault et al.	514	256	
	CR 6,649,608 B2	11/2003	Pease et al.	514	227.8	

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclose	No
	DR	97/35856	10/1997	WIPO	Feuerstein				
	ER	97/47618	12/1997	WIPO	Liverton et al.				
	FR	98/11095	03/1998	WIPO	Davis et al.				
	GR	98/16230	04/1998	WIPO	Horowitz et al.				
	HR	98/18782	05/1998	WIPO	Davis et al.				
	IR	98/25619	06/1998	WIPO	Adams et al.				
	JR	98/33798	08/1998	WIPO	Boschelli et al.				
	KR	98/41512	09/1998	WIPO	Davis et al.				
	LR	98/54093	12/1998	WIPO	Bilodeau et al.				
	MR	98/56788	12/1998	WIPO	Bamborough et al.				
	NR	99/01136	01/1999	WIPO	Adams et al.				
	OR	99/18942	04/1999	WIPO	Alvi et al.				
	PR	99/31073	06/1999	WIPO	Hisamichi et al.		X		X
	QR	99/32121	01/1999	WIPO	Gallagher et al.				
	RR	99/50250	10/1999	WIPO	Andries et al.				
**	SR	00/12485	03/2000	WIPO	Breault et al.				

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

TR	Ghosh, "2,4-Bis(Arylamino)-6-Methyl Pyrimidines as Antimicrobial Agents", J. Indian Chem. Soc., Vol. 58, No. 5, 1981, pp. 512-513			
UR	Ghosh, "2,4-Bis(arylamino)-6-methylpyrimidines as an antimicrobial agents", Chemical Abstract No. 97712f, Vol. 95, 1981, pp. 648			
VR	Schmidt et al.; "A Convenient Synthesis of 2-substituted 4-Amino-5-pyrimidinecarbonitriles"; J. Heterocycle Chem., 1997, Vol. 24, No. 5, pp. 1305-1307			

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	AR 6,670,368 B1	12/2003	Breault et al.	514	269	
	BR 6,710,052 B2	03/2004	Pease et al.	514	272	
	CR 6,716,831 B1	04/2004	Breault et al.	514	183	

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclose	No
**	DR	00/12486	03/2000	WIPO	Breault et al.				
	ER	00/17202	03/2000	WIPO	Calderwood et al.				
	FR	00/17203	03/2000	WIPO	Hirst et al.				
	GR	00/25780	05/2000	WIPO	Liu et al.				
	HR	00/26209	05/2000	WIPO	Revesz				
	IR	00/44750	08/2000	WIPO	Lum et al.				
	JR	00/49018	08/2000	WIPO	Imbach et al.				
**	KR	00/53595	09/2000	WIPO	Breault et al.				
	LR	00/55161	09/2000	WIPO	Trova et al.				
**	MR	00/59892	10/2000	WIPO	Breault et al.				
	NR	00/78731 A1	12/2000	WIPO	Batchelor et al.				
**	OR	01/14375 A1	03/2001	WIPO	Thomas et al.				
	PR	01/29009 A1	04/2001	WIPO	Davis et al.				
	QR	01/30778 A1	05/2001	WIPO	Révész et al.				
**	RR	01/64653 A1	09/2001	WIPO	Pease et al.				
	SR	01/64654 A1	09/2001	WIPO	Pease et al.				
	TR	01/64655 A1	09/2001	WIPO	Pease et al.				
	UR	01/64656 A1	09/2001	WIPO	Pease et a.				

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